



General Assembly

February Session, 2012

Raised Bill No. 5253

LCO No. 399

00399_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING A DETERMINATION OF THE NEUTRALITY OF EXPLANATORY TEXTS USED IN LOCAL PROPOSALS OR QUESTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 9-7b of the 2012 supplement to
2 the general statutes is amended by adding subdivision (19) as follows
3 (*Effective July 1, 2012*):

4 (NEW) (19) To issue written determinations, if requested,
5 concerning explanatory texts, as provided for under subsection (a) of
6 section 9-369b, as amended by this act.

7 Sec. 2. Subsection (a) of section 9-369b of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective July*
9 *1, 2012*):

10 (a) Except as provided in subsection (b) of this section, any
11 municipality may, by vote of its legislative body, authorize the
12 preparation and printing of concise explanatory texts of local
13 proposals or questions approved for submission to the electors of a

14 municipality at a referendum. In a municipality that has a town
15 meeting as its legislative body, the board of selectmen shall, by
16 majority vote, determine whether to authorize an explanatory text or
17 the dissemination of other neutral printed material. Thereafter, each
18 such explanatory text shall be prepared by the municipal clerk, subject
19 to the approval of the municipal attorney, and shall specify the intent
20 and purpose of each such proposal or question. Such text shall not
21 advocate either the approval or disapproval of the proposal or
22 question. The municipal attorney may submit such text to the State
23 Elections Enforcement Commission which shall, after the receipt of
24 such text, issue to the municipal attorney a written determination, if
25 requested, as to whether the text advocates either the approval or
26 disapproval of the proposal or question. The municipal clerk shall
27 cause such question or proposal and such explanatory text to be
28 printed in sufficient supply for public distribution and shall also
29 provide for the printing of such explanations of proposals or questions
30 on posters of a size to be determined by said clerk. At least three such
31 posters shall be posted at each polling place at which electors will be
32 voting on such proposals or questions. Any posters printed in excess of
33 the number required by this section to be posted may be displayed by
34 said clerk at the clerk's discretion at locations which are frequented by
35 the public. The explanatory text shall also be furnished to each
36 absentee ballot applicant pursuant to subsection (d) of section 9-140.
37 Except as provided in subsection (d) of this section, no expenditure of
38 state or municipal funds shall be made to influence any person to vote
39 for approval or disapproval of any such proposal or question. Any
40 municipality may, by vote of its legislative body and subject to the
41 approval of its municipal attorney, authorize the preparation and
42 printing of materials concerning any such proposal or question in
43 addition to the explanatory text if such materials do not advocate the
44 approval or disapproval of the proposal or question. This subsection
45 shall not apply to a written, printed or typed summary of an official's
46 views on a proposal or question, which is prepared for any news
47 medium or which is not distributed with public funds to a member of

48 the public except upon request of such member.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	9-7b(a)
Sec. 2	<i>July 1, 2012</i>	9-369b(a)

Statement of Purpose:

To require the State Elections Enforcement Commission to provide to municipal attorneys written determinations regarding the neutrality of explanatory texts used in local proposals or questions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]